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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,031	05/10/2001	Hiroshi Suzuki	1163-0339P	4624
2292	7590	01/28/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				SEVER, ANDREW T
ART UNIT		PAPER NUMBER		
2851				

DATE MAILED: 01/28/2005

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APPLICATION NO./ CONTROL NO. 09/852031	FILING DATE 5/10/2001	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION Suzuki	ATTORNEY DOCKET NO. 1163-0339 P
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EXAMINER

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The information disclosure statement filed 5/6/2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the application is no longer pending. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

It is the applicant's responsibility to timely (before publication) request that an IDS be considered that, although timely filed, has failed to be considered by the office.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Sever whose telephone number is 571-272-2128. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JUDY NGUYEN  
PRIMARY EXAMINER

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